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**UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: B. Fubara

Art Unit: 1615

Re: Application of:

Chih-Ming CHEN, et al.

Serial No.:

09/726,193

Filed:

November 29, 2000

For:

**CONTROLLED RELEASE  
METFORMIN FORMULATIONS**

**SUPPLEMENTAL AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

April 26, 2002

Sir:

Further to the Amendment of April 1, 2002, please enter the following amendments and remarks.

**IN THE CLAIMS**

Please add the following new claims:

30.(New) The sustained release pharmaceutical formulation of claim 1 wherein said antihyperglycemic drug is metformin hydrochloride.

31.(New) A sustained release once a day oral solid dosage form of metformin, comprising an effective amount of metformin or a pharmaceutically acceptable salt thereof and one or more materials controlling the release of metformin from the dosage form such that said dosage form, when orally administered on a once a day basis to a human in the presence of food, therapeutic levels of said metformin are attained in said human for 12 to 24 hours, and said dosage form does not exhibit a decrease in the bioavailability of metformin if taken with food.

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